

Adopted	Rejected
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## COMMITTEE REPORT

YES:	11
NO:	0

### MR. SPEAKER:

*Your Committee on Financial Institutions, to which was referred House Bill 1082, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1       Page 1, line 10, after "2." insert "(a)".
- 2       Page 1, between lines 11 and 12, begin a new paragraph and insert:
- 3       **"(b) The term does not include an entity designated as a**
- 4       **commercially reasonable private consumer credit reporting entity**
- 5       **under IC 24-4.5-7-404(5).**
- 6       **Sec. 3. As used in this chapter, "credit file" means all the**
- 7       **information concerning a consumer that is:**
- 8       **(1) recorded; and**
- 9       **(2) retained;**
- 10      **by a consumer reporting agency, regardless of how the information**
- 11      **is stored."**
- 12      Page 1, line 12, delete "3." and insert "4.".
- 13      Page 2, between lines 9 and 10, begin a new paragraph and insert:

- 1       "Sec. 5. As used in this chapter, "credit score" has the meaning
- 2       **set forth in 15 U.S.C. 1681g(f)(2)(A).".**
- 3       Page 2, line 10, delete "4." and insert "6.".
- 4       Page 2, line 12, delete "on a consumer's credit report:" and insert "**in**
- 5       **a consumer's credit file:".**
- 6       Page 2, line 16, after "information" insert "**derived**".
- 7       Page 2, line 17, delete "credit report," and insert "**consumer's credit**
- 8       **file, including any credit score calculated for the consumer,".**
- 9       Page 2, line 18, delete "credit report," and insert "**consumer's credit**
- 10      **file,".**
- 11      Page 2, line 20, delete "5." and insert "7.".
- 12      Page 2, line 20, delete "on" and insert "**in**".
- 13      Page 2, line 21, delete "report" and insert "**file**".
- 14      Page 2, line 27, delete "11" and insert "**13**".
- 15      Page 2, line 29, delete "on" and insert "**in**".
- 16      Page 2, line 29, delete "report" and insert "**file**".
- 17      Page 2, line 31, delete "6." and insert "8.".
- 18      Page 2, line 32, delete "5" and insert "7".
- 19      Page 2, line 34, delete "on" and insert "**in**".
- 20      Page 2, line 35, delete "report." and insert "**file**".
- 21      Page 3, line 2, delete "report" insert "**report, or any information**
- 22      **derived from the consumer's credit file,".**
- 23      Page 3, line 23, delete "5(a)" and insert "7(a)".
- 24      Page 3, line 29, delete "7(d)" and insert "9(d)".
- 25      Page 3, line 34, delete "7." and insert "9.".
- 26      Page 3, line 34, delete "10" and insert "**12**".
- 27      Page 3, line 35, delete "on" and insert "**in**".
- 28      Page 3, line 35, delete "report," and insert "**file**".
- 29      Page 3, line 36, delete "on" and insert "**in**".
- 30      Page 3, delete line 37 and insert "**credit file shall not release the**
- 31      **consumer's credit report, or any information derived from the**
- 32      **consumer's credit file, unless the consumer**".
- 33      Page 3, line 39, delete "report" and insert "**report, or any**
- 34      **information derived from the consumer's credit file,".**
- 35      Page 4, line 1, delete "report" and insert "**report, or any**
- 36      **information derived from the consumer's credit file,".**
- 37      Page 4, line 4, delete "5(a)" and insert "7(a)".

- 1 Page 4, line 11, delete "6(2)" and insert "**8(2)**".
- 2 Page 4, line 13, delete "6(1) or 6(3)" and insert "**8(1) or 8(3)**".
- 3 Page 4, line 16, delete "report" and insert "**report, or any**
- 4 **information derived from the consumer's credit file,**".
- 5 Page 4, line 17, after "report" insert "**or other information**".
- 6 Page 4, line 19, delete "6(2)" and insert "**8(2)**".
- 7 Page 4, line 22, delete "report" and insert "**report, or any**
- 8 **information derived from the consumer's credit file,**".
- 9 Page 4, line 24, delete "A" and insert "**Not later than September**
- 10 **1, 2008, a**".
- 11 Page 4, line 40, delete "5(a)" and insert "**7(a)**".
- 12 Page 5, line 34, delete "Receipt" and insert "**For a request made by**
- 13 **telephone or facsimile, receipt**".
- 14 Page 5, line 35, delete "normal business hours." and insert "**the**
- 15 **consumer reporting agency's normal business hours, including any**
- 16 **extended business hours observed by the consumer reporting**
- 17 **agency. The exemption provided by this item does not apply to a**
- 18 **request made by a consumer through the Internet or other**
- 19 **electronic media. A consumer reporting agency must comply with**
- 20 **a request made by a consumer through the Internet or other**
- 21 **electronic media within the time frame set forth in this subdivision,**
- 22 **even if the request is made at a time other than during the**
- 23 **consumer reporting agency's normal or extended business hours.**".
- 24 Page 5, line 36, delete "8." and insert "**10.**".
- 25 Page 5, line 36, delete "report" and insert "**report, or any**
- 26 **information derived from the consumer's credit file,**".
- 27 Page 5, line 39, delete "on the credit report;" and insert "**in the**
- 28 **consumer's credit file;**".
- 29 Page 5, line 41, delete "report under section 7" and insert "**report,**
- 30 **or any information derived from the consumer's credit file, under**
- 31 **section 9**".
- 32 Page 6, line 1, delete "report" and insert "**report, or any**
- 33 **information derived from the consumer's credit file,**".
- 34 Page 6, line 3, delete "report" and insert "**report, or any**
- 35 **information derived from a consumer's credit file,**".
- 36 Page 6, line 4, after "report" insert "**or other information**".
- 37 Page 6, line 5, after "report" insert "**or other information**".
- 38 Page 6, line 7, delete "9." and insert "**11.**".

- 1 Page 6, line 12, delete "5(a)" and insert **"7(a)"**.
- 2 Page 6, line 14, delete "7(d)" and insert **"9(d)"**.
- 3 Page 6, line 15, delete "report." and insert **"report, or any**
- 4 **information derived from a consumer's credit file,"**.
- 5 Page 6, line 20, delete "6(2)" and insert **"8(2)"**.
- 6 Page 6, line 22, delete "6(1) or 6(3)" and insert **"8(1) or 8(3)"**.
- 7 Page 6, line 28, delete "5(a)" and insert **"7(a)"**.
- 8 Page 6, line 32, delete "7(d)" and insert **"9(d)"**.
- 9 Page 7, line 22, delete "Receipt" and insert **"For a request made by**
- 10 **telephone or facsimile, receipt"**.
- 11 Page 7, line 23, delete "normal business hours." and insert **"the**
- 12 **consumer reporting agency's normal business hours, including any**
- 13 **extended business hours observed by the consumer reporting**
- 14 **agency. The exemption provided by this item does not apply to a**
- 15 **request made by a consumer through the Internet or other**
- 16 **electronic media. A consumer reporting agency must comply with**
- 17 **a request made by a consumer through the Internet or other**
- 18 **electronic media within the time frame set forth in this subdivision,**
- 19 **even if the request is made at a time other than during the**
- 20 **consumer reporting agency's normal or extended business hours."**
- 21 Page 7, line 24, delete "10." and insert **"12."**
- 22 Page 7, line 30, delete "A security freeze on a consumer's credit
- 23 report" and insert **"The placement of a security freeze in a**
- 24 **consumer's credit file"**.
- 25 Page 7, line 31, before "credit" insert **"consumer's"**.
- 26 Page 7, line 32, delete "report" and insert **"report, or any**
- 27 **information derived from the consumer's credit file,"**.
- 28 Page 8, line 7, delete "7(a)(1)" and insert **"9(a)(1)"**.
- 29 Page 8, line 23, delete "report" and insert **"report, or any**
- 30 **information derived from the consumer's credit file,"**.
- 31 Page 8, between lines 23 and 24, begin a new line block indented
- 32 and insert:
- 33 **"(7) Any of the following that uses specialized credit reporting**
- 34 **tools to validate a consumer's identity or to establish a**
- 35 **consumer's creditworthiness:**
- 36 **(A) A public utility.**
- 37 **(B) A municipally owned utility.**
- 38 **(C) A rural electric membership corporation organized**

- 1           under IC 8-1-13.
- 2           **(D) A corporation organized under IC 23-17 that is an**
- 3           **electric cooperative and that has at least one (1) member**
- 4           **that is a corporation organized under IC 8-1-13.**
- 5           **(E) An energy utility (as defined in IC 8-1-2.5-2) or an**
- 6           **affiliate of an energy utility.**
- 7           **(8) Any of the following that provides services to a consumer:**
- 8           **(A) An insurer licensed under IC 27.**
- 9           **(B) An insurance producer licensed under IC 27.**
- 10          **(C) An agent, a vendor, or an employee of:**
- 11           **(i) an insurer licensed under IC 27; or**
- 12           **(ii) an insurance producer licensed under IC 27;**
- 13          **while acting on behalf of the insurer or the insurance**
- 14          **producer."**
- 15          Page 8, line 24, delete "11." and insert "**13.**".
- 16          Page 8, line 25, delete "on a consumer's credit report:" and insert "**in**
- 17          **a consumer's credit file:"**.
- 18          Page 8, line 27, after "information." insert "**However, a consumer**
- 19          **reporting agency must honor any security freeze placed in a**
- 20          **consumer's credit file by another consumer reporting agency."**
- 21          Page 9, line 2, delete "12." and insert "**14.**".
- 22          Page 9, line 3, delete "report," and insert "**file,**".
- 23          Page 9, line 5, delete "consumer report" and insert "**consumer's**
- 24          **credit file"**.
- 25          Page 9, line 8, delete "report:" and insert "**file:**".
- 26          Page 9, line 24, delete "13." and insert "**15.**".
- 27          Page 9, line 26, delete "on a credit report" and insert "**in a**
- 28          **consumer's credit file"**.
- 29          Page 9, line 27, delete "5" and insert "**7**".
- 30          Page 9, line 29, delete "6(3)" and insert "**8**".
- 31          Page 9, line 30, delete "report" and insert "**report, or any**
- 32          **information derived from a consumer's credit file,"**.
- 33          Page 9, line 31, delete "7(a)(1)" and insert "**9(a)(1)**".
- 34          Page 9, line 32, delete "7(a)(2)" and insert "**9(a)(2)**".
- 35          Page 9, line 34, delete "9" and insert "**11**".
- 36          Page 9, line 35, delete "14." and insert "**16.**".
- 37          Page 9, line 38, delete "15." and insert "**17.**".
- 38          Page 10, line 14, delete "16." and insert "**18.**".

- 1       Page 10, after line 32, begin a new paragraph and insert:
  - 2       **"Sec. 19. The provisions of this chapter are severable as**
  - 3       **provided in IC 1-1-1-8(b)."**
- (Reference is to HB 1082 as introduced.)

**and when so amended that said bill do pass.**

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Representative Bardon